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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:

NORTHWEST SENIOR HOUSING  
CORPORATION, *et al.*<sup>1</sup>

Debtors.

)  
Chapter 11  
)  
Case No. 22-30659 (MVL)  
)  
(Jointly Administered)  
)  
)

**MOTION FOR EXPEDITED HEARING ON  
INTERCITY INVESTMENT PROPERTIES, INC.’S MOTION SEEKING AN ORDER  
(I) ALLOWING ADMINISTRATIVE EXPENSE CLAIM FOR POSTPETITION RENT  
UNDER 11 U.S.C. § 503(b)(1); (II) DIRECTING ESCROW AGENT TO RELEASE  
ESCROWED FUNDS AND TERMINATING RENT ESCROW AGREEMENT; AND  
(III) REQUIRING DEBTORS TO PAY POSTPETITION RENT IN THE ORDINARY  
COURSE [DKT. NO. 691]**

Intercity Investment Properties, Inc. (“Landlord”) hereby requests that an expedited hearing on its *Motion Seeking an Order (I) Allowing Administrative Expense Claim for Postpetition Rent Under 11 U.S.C. § 503(b)(1); (II) Directing Escrow Agent to Release Escrowed Funds and Terminating Rent Escrow Agreement; and (III) Requiring Debtors to Pay Postpetition Rent in the Ordinary Course* [Dkt. No. 691] (the “Motion”) be set at the Court’s next omnibus

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are Northwest Senior Housing Corporation (1278) and Senior Quality Lifestyles Corporation (2669). The Debtors’ mailing address is 8523 Thackery Street, Dallas, Texas 75225.

hearing date in these Cases<sup>2</sup> on October 26, 2022, at 1:30 p.m. In support of its request for an expedited hearing on the Motion, the Landlord states:

1. As set forth more fully in the Motion, granting the relief requested therein is consistent with the status of these Cases and will, assuming rent is timely paid, eliminate \$34,958.33 in monthly late fees in November and monthly late fees of \$35,869.30 beginning in December (nearly \$430,000 for the 2022-23 lease year alone),<sup>3</sup> as well as the fees of the Escrow Agent. It is therefore clearly in the best interests of the Debtors' estates that the Escrow Agent be directed to pay the Landlord all amounts currently held in escrow to the Landlord, and all future rent should be paid directly to the Landlord as required by the Lease. The sooner the Motion is heard, the sooner the Debtors can refrain from paying these late fees.

2. The Court currently has scheduled the Debtors' next omnibus hearing on October 26, 2022, at 1:30 p.m.—21 days after the Motion was filed—in accordance with Rule 2002(a)(6) of the Federal Rules of Bankruptcy Procedure. Accordingly, it will be more efficient and create no prejudice to other parties in the Cases to hold the hearing on the Motion at the October 26th omnibus hearing.

3. By contrast, if the Motion is postponed beyond October 26th, the Debtors will be required to deposit November rent *and* late fees, due November 1, 2022, with the Escrow Agent, at further administrative expense to their estates.

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<sup>2</sup> Capitalized terms used but not defined in this motion to expedite bear the meanings given to them in the Motion.

<sup>3</sup> Current late fees are \$34,161.23 per month (10% of monthly rent amounts). On November 17, 2022, the rent amount is anticipated to increase by 5% to \$358,692.95 per month. Beginning in December 2022, late fees will therefore be \$35,869.30.

Because the 2022-23 lease year begins on November 17, the rent for November is prorated as follows: (a) 16/30ths of monthly rent at the 2021-22 rate (resulting in rent for November 1-16, 2022, of \$182,193.25) *plus* (b) 14/30ths of monthly rent at the 2022-23 rate (resulting in rent for November 17-30, 2022, of \$167,390.04 for a sum of \$349,583.29 for November rent. The November late fees will therefore be \$34,958.33 (10% of the November rent amount)).

**WHEREFORE**, the Landlord requests that the Court enter an order on this motion to expedite, (a) setting a hearing on the Motion at the Court's next omnibus hearing date scheduled for October 26, 2022, and (b) granting any other further relief the Court deems appropriate under the circumstances.

Dallas, Texas  
October 6, 2022

*/s/ Michael S. Held*

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**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that, on October 6, 2022, at 10:44 a.m. (CT), he communicated via email correspondence with counsel for the Debtors, the Office of the United States Trustee, UMB Bank, N.A., and the Official Committee of Unsecured Creditors in these Cases requesting their consent to expediting the hearing on the motion to expedite hearing on Intercity Investment Properties, Inc.'s *Motion Seeking an Order (i) Allowing the Landlord an Administrative Expense Claim for Postpetition Rent Amounts Under 11 U.S.C. § 503(b)(1); (ii) Directing the Escrow Agent to Release Amounts Escrowed Funds and Terminating Rent Escrow Agreement; and (iii) Requiring the Debtors to pay their Postpetition Rent in the Ordinary Course* (the "Motion"), [Dkt. No. 691] as required under the Local Rules of Bankruptcy Procedure for the Northern District of Texas.

As of the filing of the motion to expedite the hearing on the Motion, the following parties have responded as follows:

<b>Party</b>	<b>Response</b>
Debtors, c/o Polsinelli P.C.	Does not consent (via email correspondence at 4:15 p.m. CT)
U.S. Trustee, c/o Lisa Lambert	No response as of 5:00 p.m. CT
UMB Bank, N.A., c/o Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C.	Does not consent (via email correspondence at 10:01 a.m. ET)
Official Committee of Unsecured Creditors, c/o Foley & Lardner LLP	No response as of 5:00 p.m. CT

*/s/ Michael S. Held*

Michael S. Held

**CERTIFICATE OF SERVICE**

I hereby certify that on the 6th day of October 2022, a true and correct copy of the foregoing was served electronically on all persons via the Court's CM/ECF system.

*/s/ Michael S. Held*

Michael S. Held